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## CHAPTER 3 - CIVILIAN PERSONNEL

<u>Article</u>	<u>Title</u>	<u>Cog Code</u>
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**301 INCENTIVE AWARDS PROGRAM (N09BD)**

Ref: (a) S/HHRO Instruction 12451.1 (NOTAL)  
(b) CPI 451 (NOTAL)

This article provides supplementary guidance for use in conjunction with reference (a) for conducting the Navy Incentive Awards Program within OPNAV. (NOTE: Navy Incentive Awards are not to be confused with awards connected with annual performance appraisals.)

**301.1 Background.** Reference (b) establishes the Department of the Navy Incentive Awards Program and provides guidance on responsibilities and authority for conducting the program. Examples of the types of awards included within the Navy Incentive Awards program are:

- \* Special Act Award
- \* Beneficial Suggestion Award
- \* Invention Award
- \* Honorary Award
- \* Time-Off Award

**301.2 Definitions**

a. Special Act Award means group or individual recognition of a non-recurring contribution either within or outside of normal job responsibility such as a scientific or value engineering achievement, act of heroism, cost avoidance, or exemplary accomplishment. This is a monetary award. Use Tab A of this article to compute the amount. Senior Executive Service members are limited to \$4500 and awards require approval of the Executive Resources Board.

b. Beneficial Suggestion Award means a monetary award granted for a contribution or idea with tangible and/or intangible benefits which is adopted by management. Use Tab A of this article to compute the amount.

c. Invention Award is a form of recognition granted for all invention disclosures approved for filing, Letter Patents granted or Statutory Invention Registrations (SIRs) issued. This is a monetary award. Use Tab A to compute amount.

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d. Honorary Awards are granted for significant one-time achievements of an individual or group or for sustained outstanding career achievements of an individual. The most frequently used awards are the Meritorious Civilian Service, Superior Civilian Service, and the Distinguished Civilian Service. The Meritorious and Superior may be approved by OPNAV Principal Officials (OPOs). The Distinguished requires Secretary of the Navy approval. These awards are non-monetary and consist of a certificate and medal set.

e. Time off from duty, called a "time-off award", may be granted in recognition of superior accomplishment or other personal effort that contributes to the quality, efficiency, or economy of government operations. The amount of the time-off award should be proportionate to the value of the contribution being recognized. Contact N09BD if you have questions concerning award amounts.

(1) First level supervisors may grant time-off awards not to exceed 1 workday, without further review and approval. However, the award must be justified and documented (forms are available in N09BD) and an SF-52 (Request for Personnel Action) must be sent to Secretariat/Headquarters Human Resources Office (S/HHRO) for processing and submission to payroll.

(2) A decision to grant a time-off award for a period in excess of 1 workday must be submitted for review and approval to the Assistant Vice Chief of Naval Operations (N09B) via the OPO and N09BD. The maximum amount of time off which may be approved for any single contribution is 40 hours. The total amount of time off given a full-time employee in 1 leave year cannot exceed 80 hours.

**301.3 Delegation of Authority.** OPOs are delegated authority enumerated in reference (b) equivalent to that of Echelon 2 activities with the following limitations:

a. Budgetary approval must be obtained prior to approval of any Special Act.

b. Beneficial Suggestion awards will only be approved for improvements implemented internally within the OPO's organization. Broader applications will be forwarded to N09B for approval.

c. Special Act awards in excess of \$5,000.00 must be submitted to OPNAV Incentive Awards Board (see charter at Tab B).

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- d. Invention Awards require approval by N09B.
- e. Time-off awards of more than 1 day must be submitted to N09B.

**301.4 OPNAV Incentive Awards Board** (See charter at Tab B)

- a. Make recommendations to N09B for forwarding of honorary awards for which SECNAV or higher is the approval authority.
- b. Review and recommend action on beneficial suggestions which have application beyond an OPO's organization or require SECNAV or higher approval.
- c. Review and recommend action on proposed Special Act Awards to individuals in excess of \$5,000.00.
- d. Review and recommend action on all invention awards.

**301.5 Assistant Vice Chief of Naval Operations (N09B)**

- a. Recommend or approve action as appropriate for the following awards for OPNAV personnel:
  - (1) Those requiring SECNAV or higher approval.
  - (2) Special Act Awards for the amount exceeding \$5,000.00.
  - (3) Beneficial suggestions of OPNAV-wide or broader scope.
  - (4) Invention Awards.
  - (5) Time-off Incentive Awards of more than 1 day.
- b. Provide monetary authority for Special Act Awards.
- c. Coordinate the personnel award program among OPOs, S/HHRO, and the OPNAV Incentive Awards Board to ensure adequacy of documentation, processing, efficiency, and monetary control.
- d. Provide administrative support to OPNAV Incentive Awards Board.
- e. Maintain central files on OPNAV awards program implementation.

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**Table 1. SCALE OF RECOMMENDED AWARD AMOUNTS  
BASED ON TANGIBLE BENEFITS <sup>1</sup>**

<b>BENEFITS</b>	<b>AWARD</b>
<u>Estimated First-Year Benefits to Government</u>	<u>Amount of Award to Employee</u>
Up to \$10,000 in benefits	10% of benefits
Between \$10,000 and \$100,000 in benefits	\$1,000, plus 3% to 10% of benefits over \$10,000
More than \$100,000 in benefits	\$3,700 to \$10,000 for the first \$100,000 in benefits, plus 0.5% to 1.0% of benefits above \$100,000, up to \$25,000, with the approval of the Office of Personnel Management. Presidential approval is required for all awards of more than \$25,000.

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<sup>1</sup> This scale is a recommendation only; agencies have the authority to develop scales that meet their particular needs.

(Source: FPL 451-11 of 9 Feb 93)

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**Table 2. SCALE OF RECOMMENDED AWARD AMOUNTS  
BASED ON INTANGIBLE BENEFITS <sup>1</sup>**

VALUE OF BENEFIT	EXTENT OF APPLICATION			
	LIMITED Affects functions, mission, or personnel of one facility, instal- lation, regional area, or an organizational element of head- quarters. Affects a small area of science or technology.	EXTENDED Affects functions, mission, or personnel of an entire regional area, command, or bureau. Affects an important area of science or technology.	BROAD Affects functions, mission, or personnel of several regional areas or commands, or an entire department or agency. Affects an extensive area of science or technology.	GENERAL Affects functions, mission, or personnel of more than one department/agency, or is in the public interest throughout the Nation and beyond.
<b>MODERATE VALUE</b> Change or modification of an operating principle or procedure with limit- ed impact or use.	\$25 - \$125	\$125 - \$325	\$325 - \$650	\$650 - \$1,300
<b>SUBSTANTIAL VALUE</b> Substantial change or modification of proce- dures. An important improvement to the value of a product, activity, program, or service to the public.	\$125 - \$325	\$325 - \$650	\$650 - \$1,300	\$1,300 - \$3,150
<b>HIGH VALUE</b> Complete revision of a basic principle or procedure; a highly significant improvement to the value of a product or service.	\$325 - \$650	\$650 - \$1,300	\$1,300 - \$3,150	\$3,150 - \$6,300
<b>EXCEPTIONAL VALUE</b> Initiation of a new princi- ple or major procedure; a superior improvement to the quality of a critical product, activity, pro- gram, or service to the public.	\$650 - \$1,300	\$1,300 - \$3,150	\$3,150 - \$6,300	\$6,300 - \$10,000 <sup>2</sup>

<sup>1</sup> This scale is a recommendation only; agencies have the authority to develop scales that meet their needs. Agencies should adapt the terminology used in the scale to make it more relevant to their organization and mission. Also, agencies may provide for some exceptions to these amounts to provide management with flexibility in rewarding employees. Agencies may also consider the suggested award amounts as baseline information, to be adjusted in the future based on inflation indices or other factors that would reflect reductions in the real dollar value of the awards.

<sup>2</sup> An award of more than \$10,000, up to \$25,000, may be granted with the approval of OPM. An award above \$25,000 may be granted with the approval of the President. Such awards should normally not exceed \$50,000.

(Source: FPL 451-11 of 9 Feb 93)

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### OPNAV INCENTIVE AWARDS BOARD CHARTER

Background. CPI 451 assigns to activity heads the following responsibilities:

- a. Developing and implementing an Incentive Awards Program.
- b. Effective use of awards to motivate employees.
- c. Conducting an annual review of the awards program.

### Charter of the OPNAV Incentive Awards Board

The OPNAV Incentive Awards Board is a group of military and civilian personnel established to assist in carrying out the Department of the Navy and OPNAV Incentive Awards programs per applicable policies and procedures.

#### a. Board Composition

(1) The Board membership shall represent the major OPNAV directorates and shall include civilian and military representation as well as representation of minority group members and women. N09B will request nominations when needed.

(2) The Chairperson will be designated by N09B. He or she will be a high level civilian or military manager with a strong commitment to the Incentive Awards Program.

(3) N09BD1 will serve as the Executive Secretary of the Board.

#### b. Appointment to the Board

(1) The individual serving as Executive Secretary shall automatically be on the Board, as a non-voting member.

(2) All other Board members shall be appointed for an indefinite term by N09B.

#### c. Meetings of the Board

(1) The Board will meet when called by the Chairperson.

(2) A majority of the members must be present at a meeting in order to vote on recommendations.

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d. Board Functions

(1) Review recommendations for honorary or cash awards for Department of the Navy employees requiring CNO, SECNAV and/or higher level approval.

(2) Review the OPNAV awards program annually and submit the evaluation of this program to N09B.

(3) Review awards recommended in excess of delegated monetary limits approvable by Echelon 2 commands.

### 302 OUTPROCESSING OF CIVILIAN EMPLOYEES (N09B23)

This article outlines procedures for processing civilian personnel separations (resignation, retirement and transfer) from OPNAV and OPNAV Support Activity.

**302.1 Policy.** In order to meet security requirements, clear travel advances, maintain personnel files, and ensure official processing of employee records, civilian personnel are required to complete the OPNAV Civilian Personnel Check-out Sheet prior to separation.

**302.2 Responsibilities.** OPNAV Principal Officials should designate a personnel liaison representative within their directorate. The name, N-code, and telephone number should be provided to N09B23. The liaison representative will be responsible for:

- a. Providing the separating employee with the check-out sheet.
- b. Ensuring the upper portion of the sheet is completed.
- c. Forwarding an original Request for Personnel Action (SF-52), properly completed and signed, to N09B23, Room 4D386.
- d. Signing and dating the check-out sheet upon completion of the above requirements.

Employees are required to obtain initials from each designated check-out office and must have in their possession a copy of their SF-52 during this process.

**302.3 Check-out Sheet.** Personnel Liaisons may obtain copies of the check-out sheet from the Resource Management Branch (N09B23), Room 4D386.

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**303 EMPLOYMENT - DETERMINING RATE OF BASIC COMPENSATION FOR CIVILIAN EMPLOYEES (N09BD/N09B23)**

- Ref: (a) Federal Personnel Manual (FPM), Chapter 531  
(b) Civilian Personnel Instruction (CPI) 531  
(c) CPI 301  
(d) FPM Supplement 532-1  
(e) CPI Supplement 532-1

This article sets forth OPNAV policies and procedures governing pay adjustment for General Schedule and Wage Grade employees in position change, appointment and reemployment actions. The provisions of this article apply to OPNAV employees paid from appropriated funds, and to reinstatement eligibles selected for OPNAV vacancies.

**303.1 Policy.** It is Department of the Navy (DON) and Office of the Chief of Naval Operations (OPNAV) policy not to use a step above the minimum step rate required by law or regulation unless it is in the interest of the government. Whenever a higher rate is permissible, management will assess the rate to be set in light of the needs of OPNAV, assessment of the quality of the employee, the equity among employees, and the availability of funds. In no case will there be an "automatic" placement in the highest rate permissible. Each case will be judged on its individual merits.

**303.2 Highest Previous Rate**

a. This is the highest rate of basic pay previously paid to an employee while serving in a position not limited to 90 days or less in a branch of the federal government, regardless of whether or not the position was subject to the General Schedule.

b. When an employee moves into a position by promotion, demotion, reassignment, or reinstatement, the employee may be paid at any rate which does not exceed his/her highest previous rate. If the highest previous rate falls between two rates of the new grade, the employee may be given the higher rate. However, use of the highest previous rate in all personnel actions will follow the policy in paragraph 303.1.

**303.3 Reduction in Force or Transfer of Function Placement.** Employees of the Department of Defense (DOD) who are separated or are scheduled for separation by reduction in force or failure to accompany a function, and who are placed through the Priority

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Placement Program (PPP) or by reassignment or transfer, or through the Reemployment Priority List (RPL), will have their pay fixed in the new grade at a step rate which preserves the last earned rate. For this purpose, "last earned rate" does not include the rate earned in a position or rating to which temporarily promoted nor does it include a night shift differential. This requirement does not preclude the use of the highest pay previous rate under references (a) and (b).

**303.4 Assignment Based on Return Rights of Employees Assigned Duty Outside CONUS.** Employees exercising return rights upon completion of an overseas assignment will receive a basic rate of compensation equal to the rate received immediately prior to their return, or at the rate to which they would have been entitled had they not been assigned to overseas duty, per reference (c).

**303.5 Simultaneous Pay Changes.** When employees become entitled to two pay changes at the same time, the changes are processed in the order which provides the maximum benefit.

**303.6 Promotion, Permanent and Temporary**

a. General Schedule employees must receive the rate in the new grade which exceeds the rate in the previous grade by an amount equal to two within-grade increases in the grade from which promoted. However, this cannot exceed the maximum rate of the grade.

b. General Schedule employees on "pay retention" are entitled, when promoted, to a rate two steps above the rate that they would have been receiving if not on "pay retention" or their existing rate of pay if that rate is higher.

c. Wage Grade employees, upon promotion, are entitled to be paid at the lowest schedule rate of the grade which exceeds the employees' existing rate of pay (including a retained rate of pay) by no less than one step increment of the grade from which promoted, but not to exceed the maximum schedule rate of the higher grade. When the amount of the step rate varies, the smallest step rate is to be used in applying this "one-step" rule.

d. Employees promoted from General Schedule to Wage Grade jobs are entitled to be paid at the lowest scheduled rate of the Wage Grade level which equals or exceeds their rate of pay in the

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General Schedule position plus one step rate increment in the General Schedule grade from which promoted. A comparison of representative rates in these cases will be made to determine whether or not an action is in fact a promotion. The representative rate for all General Schedule grades is the fourth step, and for all Wage Grade levels, the second step.

e. Employees promoted from Wage Grade to General Schedule positions are entitled to receive that rate of pay in the General Schedule position which simply exceeds their Wage Grade rate. A comparison of representative rates as defined above will be made to determine whether or not an action is in fact a promotion.

f. Under reference (a), an employee in a General Schedule position who regularly has responsibility for supervision over wage grade employees whose pay is higher than that of the General Schedule supervisor may be entitled to an upward adjustment in pay.

**303.7 Pay Upon Termination of Temporary Promotion.** When employees are temporarily promoted and receive an equivalent increase, a waiting period for an increase in the higher grade begins. Upon being returned to their regular positions, employees are given the rate and the waiting period credit they would be entitled to had they remained in the lower grade. Thus, during a temporary promotion employees are fulfilling the waiting period requirement for both the grades from which and to which promoted.

**303.8 Change to Lower Grade at Employee's Request.** Employees who are changed to a lower grade at their request may not be granted salary retention. However, the salary may be set at the maximum rate permissible under the highest previous rate rule as stated in paragraph 303.2. When employees request a change to lower grade with the prospect of promotion back to the former grade as soon as possible under merit promotion rules, a rate in the lower grade should be selected which upon re-promotion will place them in a rate in the higher grade to which they would have been entitled had they remained in that grade. Employees requesting such a change must specify in writing not only the grade, but the minimum acceptable step. Management may accept or reject the request. Employees will be advised of the rate to be paid prior to being placed in the position.

**303.9 Pay for Details.** When employees are detailed to perform duties of another position, as distinguished from being appointed

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or assigned to the position, they are not entitled to the pay of the position to which detailed.

**303.10 Action.** On all personnel actions, the staffing specialists in Secretariat/Headquarters Human Resources Office (S/HHRO) will determine eligibility for step rates per references (a), (b), (d), and (e), and other applicable regulations. Discretionary situations in setting pay for positions will be resolved by the appropriate selecting official following the policy in paragraph 303.1.

### 304 HOURS OF DUTY AND OVERTIME (N09BD)

Ref: (a) Federal Personnel Manual (FPM), Chapter 550  
(b) FPM 551  
(c) FPM 610  
(d) FPM 630  
(e) Civilian Personnel Instruction (CPI 610)  
(f) NRFCWASHINST 7410.3B (NOTAL)

This article sets forth the policies and procedures to be followed in determining hours of work and authorizing pay for OPNAV civilian employees following references (a) through (f).

#### 304.1 Definitions

a. Administrative workweek means a period of 7 consecutive calendar days. In OPNAV, the administrative workweek is Sunday through Saturday and is used for computing leave and pay.

b. Basic workweek is the period for which an employee is paid straight-time pay. For full-time employees paid on an annual basis, the basic workweek is 40 hours spread over not more than 6 days of the administrative workweek, unless the employee is working on an approved compressed work schedule. For employees in wage systems, the basic workweek is 40 hours and the basic workday is 8 hours.

#### c. Compressed Work Schedule (CWS)

(1) CWS is an 80-hour biweekly period compressed into 9 days. The biweekly work period will consist of 8 9 1/2 hour days, 1 8 1/2 hour day (both including a 30 minute lunch break) and 1 "day off" to complete the basic work requirement of 80 hours for a biweekly pay period. The 8 1/2 hour day will be scheduled on the same day as the "day off" in the alternate week. A sample time card (DAO-ARL 0007) is provided at Tab A.

(2) An employee may elect to participate in the CWS provided that his or her participation does not interfere with the employee's performance of officially assigned duties.

(3) Supervisors retain the right to set up or change any work schedule to avoid adverse impact on daily operations. Exclusion from CWS is not grievable. Questions concerning CWS may be addressed to N09BD.

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d. Premium pay is additional pay for overtime, night, holiday, or Sunday work. Premium pay for wage system employees is not discussed in this article. Reference (f) provides additional information on premium pay for wage system employees.

e. Certifying official is a supervisor or an individual operating in a supervisory capacity who signs the time card to certify its accuracy.

f. Timekeeper is the person engaged in the maintenance of time cards.

**304.2 Policy.** It is OPNAV policy that the following rules be observed:

a. Employees will be given advance notice of changes in tours of duty in order that they may make advance plans for the use of their non-work time.

b. The occurrence of a holiday will not affect the designation of the basic workweek.

c. Overtime and compensatory time work will be avoided whenever possible.

**304.3 Establishment of Work Hours**

a. General Information. The workweek for OPNAV civilians is Monday through Friday, 0800 to 1630, unless covered under CWS. Some offices may have other schedules to provide adequate services to the activity. Employees should be notified of changes in writing. In general, the basic workweek will be scheduled on 5 days and the 2 days outside the basic workweek will be consecutive.

b. Lunch Period. A lunch period is non-work time for which compensation is not paid. The 8-hour workday is extended by the length of the lunch period. The OPNAV workday is 8 1/2 hours; the lunch period is 30 minutes.

c. Leave Usage. Annual and sick leave may be taken in no less than 30 minute increments.

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#### 304.4 Changing Work Weeks

a. Requirements. The days and hours of an employee's basic workweek shall not be changed, except in rare cases, without notice to the employee at least 3 calendar days before the first administrative workweek affected by the change. Generally, an employee's basic workweek shall not be changed for a period of less than 3 consecutive weeks. Employees should be notified of changes in writing.

b. Approval Authority. Division Directors and higher authorities are authorized to make changes in work hours.

#### 304.5 Overtime

a. Overtime pay is made under the provisions of Title 5 of the U.S. Code and the Fair Labor Standards Act (FLSA). Under the FLSA provisions, all employees are declared either "exempt" or "non-exempt" (from the provisions of the Act). This determination is made by the Secretariat/Headquarters Human Resources Office (S/HHRO) with guidelines established by the Office of Personnel Management (OPM). The determination depends on the nature of the work performed and, for executive, administrative, and professional employees, the level of responsibility and independence of action. Payment for overtime work for exempt and non-exempt employees is described below.

b. Overtime should be limited to those cases in which the mission clearly requires the commitment of personnel and funds. Overtime is normally performed where the employee is assigned.

c. Exempt Employees. These individuals are covered only by the provisions of Title 5 of the U.S. Code. They are paid overtime or receive compensatory time off as follows:

##### (1) Overtime

(a) Overtime is authorized extra duty performed in excess of 8 hours in a day or 40 hours in an administrative workweek, unless on CWS. For a period of leave without pay in an employee's daily tour of duty or basic workweek, an equal period of overtime performed will be paid for at the rate of his/her regular tour of duty before any remaining work hours may be paid at the overtime rate.

(b) Overtime pay may be granted only for work which is ordered and approved. Employees will be directed to work

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overtime by supervisory personnel after approval of overtime. Division Directors and higher authorities are delegated authority to approve overtime work. Approval authority must be one level above the individual ordering the use of overtime or compensatory time. It is also required that authorization be in writing in advance of the performance of the work, except when the exigency of the situation prevents prior approval in which instance, written approval will be accomplished not later than the first normal workday after the work.

(c) The overtime rate of pay is as follows:

1. For each exempt employee whose pay rate does not exceed the minimum rate for GS-10, the overtime rate is one and one-half times his/her hourly rate of basic pay.

2. For each employee whose basic pay rate exceeds the minimum rate for GS-10, the overtime rate is one and one-half times the hourly rate of basic pay at the minimum rate of a GS-10.

3. Compensation during a pay period cannot, regardless of the rate at which it is computed, exceed the rate of basic pay for the highest payable rate for GS-15.

(d) Overtime is compensated in one-tenth hour (6 minutes) increments. An employee must be paid at the overtime rate for all overtime worked and should be assigned overtime work in increments of one-tenth hour.

(2) Compensatory Time is approved additional work time for which no pay is received.

(a) An employee whose rate of basic pay does not exceed the maximum rate of a GS-10 may choose between overtime pay and compensatory time off for irregular or occasional overtime work they are required to perform, up to a maximum accrual of 80 hours compensatory time. This election must be shown on the NAVCOMPT 2282. If the maximum compensatory accrual has been reached, the employee will automatically be paid overtime. An employee whose rate of basic pay is in excess of the maximum rate for GS-10 is required to take compensatory time in lieu of overtime pay until the 80 hour accrual has been reached. Additional time worked will then be compensated at appropriate overtime rates.

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(b) Compensatory time should be taken within a reasonable period of time after the overtime work is performed, normally within four pay periods. All such time must be taken during the basic 40-hour workweek.

(c) Except for compensatory time earned during the last 30 days of the leave year, the only compensatory time that may be carried over into the following leave year is the time that the employee was not allowed to take. Such denial must be shown on an SF 71, Application for Leave, submitted and disapproved prior to the third biweekly pay period before the end of the leave year. The maximum amount of compensatory time that may be carried over is 80 hours.

(d) Normally, compensatory time off will be granted before annual leave is used.

d. Non-Exempt Employees. Non-exempt employees are entitled to overtime and compensatory time off as provided below:

(1) Circumstances under which overtime pay entitlement is earned

(a) Under Title 5 only. A non-exempt employee who is not on an approved CWS schedule and who works over 8 hours in a day but not over 40 hours in a week under ordered and approved overtime is entitled to overtime pay under Title 5 only.

(b) Under FLSA only. If an employee who is not on CWS works in excess of 40 hours in a workweek and the work was "suffered and permitted" to be performed, rather than ordered, the employee is entitled to overtime pay solely under FLSA. This means that if an employee stays an hour after the end of the workday on Friday and management sees work being performed, the employee is entitled to overtime pay, even if there was nothing urgent to be done. Management should ensure, therefore, that non-exempt employees work extra hours only if the work has been ordered and approved. An employee who is not compensated for work that management "suffered and permitted" to be performed may seek relief from the courts.

(c) Under both Title 5 and FLSA. If an employee has worked ordered and approved time over 40 hours in a workweek (unless on CWS), the employee is entitled to overtime pay under both statutes. The employee shall be compensated under whichever statute provides the greater overtime pay benefit.

(2) Computation of Overtime Pay

(a) Under Title 5 only. Employees are paid under the same provision as for exempt employees.

(b) Under FLSA only. Under FLSA, employees are paid for overtime work at the rate of one and one-half times the "regular" rate of pay (all includable payments for all hours of actual work, divided by the total hours of actual work). There is no maximum amount that can be earned under FLSA.

(c) Under both Title 5 and FLSA. A comparison of (1) and (2) is made. The general, non-exempt employees will benefit from payment under Title 5.

(3) Use of Compensatory Time Off

(a) Under Title 5 only. If a non-exempt employee earns overtime pay entitlement solely under Title 5, the provisions of paragraph 304.5c(2)(a) for exempt employees apply.

(b) Under FLSA only. If a non-exempt employee earns overtime under FLSA only, no compensatory time off may be given; the employee must be paid for all additional time worked.

(c) Under both Title 5 and FLSA. If an employee has entitlement under both Title 5 and FLSA, he or she may take compensatory time off within the same workweek in which the additional time was performed. If compensatory time is not taken within the same week, the employee must indicate on the time card whether overtime pay or compensatory time off is desired. An employee will not be able to take compensatory time if entitlement is computed to be greater under Title 5; otherwise the employee must be paid for the additional time, regardless of the election on the time card.

**304.6 Pay for Hours Worked in a Travel Status.** An employee may receive pay for hours worked while traveling at the official duty station or away from the official duty station. For purposes of this article, "official duty station" can generally be defined as the District of Columbia and adjoining Maryland and Virginia jurisdictions. Pay for hours worked may be made under Title 5 and the FLSA, as appropriate. Detailed information on eligibility for pay for hours worked in a travel status is available from S/HHRO.

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**304.7 Holiday Pay.** An employee required to work on a holiday receives holiday pay for the first 8 hours worked. This pay is equal to the rate of basic pay plus premium pay at a rate equal to the rate of basic pay. An employee is entitled to pay for overtime work on a holiday at the same rate as overtime on other days.

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TOUR OF DUTY				EMPLOYEE NUMBER			
CWS							
WK 1 REG	36	71		WK 2 REG	44	71	
OT		72		OT		72	
S		75		S		75	
T		76		T		76	
F		78		F		78	
P		79		P		79	
A		68		A		68	

  

	IN	OUT	IN	OUT	REG	O.T.	BONUS	LEAVE
SUN								
MON					9			
TUE					9			
WED					9			
THU					9			
FRI								
SAT								
SUN								
MON					9			
TUE					9			
WED					9			
THU					9			
FRI					8			
SAT								

  

CERTIFICATION: ATTENDANCE, ABSENCES AND OVERTIME CERTIFIED CORRECT. I DID NOT SUFFER OR PERMIT ANY OVERTIME WORK OTHER THAN AS REPORTED ON THE TIME AND ATTENDANCE REPORT FOR THE PERIOD.					REGULAR HOURS 80	OVERTIME HOURS 0
AUTHORIZATION SIGNATURE <i>Jane Doe</i>						

TIME CARD DAO-ARL 0007 (4-93)

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**305 PREPARATION AND SUBMISSION OF POSITION DESCRIPTIONS (N09BD)**

This article describes the preparation of position descriptions, including a guide to the use of the factor format system, and instructions for the completion of Optional Form 8, Position Description. Before going through the following, check with your Classification Specialist in the Secretariat/Headquarters Human Resources Office (S/HHRO) to see if there is a standard position description that may suit your needs. Additionally, "PD Writer", the Navy's automated position description writer (available from S/HHRO), may also assist you.

**305.1 New Position Description.** Generally when a new position is to be established or the major duties or responsibilities of an existing position have changed substantially, a complete new description is required. Time will often be saved by getting help from position classification specialists before starting to write a position description and by submitting a rough draft of the description to the Position Classification Office, S/HHRO, so that it can be reviewed for completeness and clarity. When the position description is ready for submission in final form, it should be typed single-spaced on plain bond paper and attached to a completed OF-8, Position Description (see paragraph 305.4). The original and four copies of the position description along with the original OF-8 and Request for Personnel Action, SF-52, should be forwarded to S/HHRO via N09B23, Room 4D386, Pentagon.

**305.2 Revising/Reinstating Position Descriptions.** Sometimes a complete new description is not needed or necessary and a classification specialist can help you make this decision. Some of the alternatives to writing a new description are:

a. **Amendments.** These are used when the major duties and responsibilities of an already classified position have changed to some extent but not sufficiently to warrant a complete rewriting of the position description. The decision to amend rather than rewrite a position description depends on whether the amended description conforms with reasonable standards of neatness and utility (amendments should be limited to one page and there should be no more than two amendments to any position description). A change of minor duties in a position does not usually require amending the position description. The submission procedures for amendments are the same as described for new positions.

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b. Identical Additional Positions. These are used when the duties, responsibilities, qualification requirements and organizational pattern and relationships under the same supervisory position are identical in all respects to those of another position. A request for an identical additional position is usually brought about by an increase in workload and a new position description is not required.

c. Reestablishment of Position Descriptions. This method is used when a cancelled position description is to be reactivated and the duties, responsibilities, and qualification requirements of the position, as originally described and classified, have not changed in any major respect. The reactivation is accomplished in order to expedite re-use of the position description. If a minor change is necessary, submission of an amendment to bring the position up-to-date can be made simultaneously with a request for the reestablishment of the cancelled position description.

### 305.3 Guide for Writing Position Descriptions

a. General. The Classification Act provides a method of paying government employees equal pay for essentially equal work performed. Accurate position descriptions are necessary for this purpose and for other management uses. Follow the guide below in preparing such descriptions. Describe the job concisely in plain, clear language. Give the facts requested by the directions but be brief and to the point.

b. Factor Format. The use of the factor format for describing positions is recommended and employees will often hear that their positions must be described using the factor format. For some occupational series, use of the factor format is optional; for others, it is mandatory. However, the policy of the Classification Program is to encourage all employees to use the factor format when describing positions.

(1) The factor format uses nine discrete factors on elements of criteria to determine a grade for the total position. Each of these nine factors is used to describe a portion of an employee's position and the classification specialist will then use the appropriate grading standard to assign a point value to each of these same nine factors. When the total point value for all nine factors is added up, the classification specialist can convert that total value to a GS grade.

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(2) In describing a position, it is essential that the writer capture the correct concept that is called for in each factor. Point values in the standards are gauged according to how closely the actual factors in a position description come to meeting the concepts displayed within the standard's factors. For example, in Factor 5, Scope and Effect, the concept which that factor calls for displays a pattern of explaining the purpose, or why the work is performed, along with the impact of performing that work. If the writer does not adequately construct that pattern of explaining purpose and impact in Factor 5, then the classifier will have a difficult time assigning the correct point values. Concepts described in factors must be directly related to duties of the position.

(3) Position descriptions in the factor format must include the following elements:

(a) Introduction: State in one or two short sentences the general nature of the position and how it fits into the organization, e.g., the employee is one of four file clerks in the (organization); the employee is the supervisor of five military personnel clerks in the (organization). Please do not include mission statements, as they are available from other sources.

(b) Duties: Briefly list each of the major duties and responsibilities which make up the total position, giving an approximate percentage of time for each. Include only those duties which are the responsibility of the particular position, not those of the unit or section. Use any method of organizing the duties which will give the best picture of the position, i.e., order of performance, order of importance, etc. In describing each duty be brief but give sufficient detail to provide a clear understanding of the work. When supervisory duties and responsibilities are a part of the job, describe them under the heading SUPERVISORY DUTIES, after the description of any duties individually performed. Include the following: kinds, grades and numbers of positions supervised; the nature and extent of supervision--instructing, planning, and assigning the work, review made of the work, responsibility for personnel actions or recommendations, etc. Supervisory duties are evaluated using the Supervisory Grade Evaluation Guide and, as such, when they represent the predominant duties in the position, they need not be described according to the factor format. Any questions on describing supervisory positions should be directed to a classification specialist.

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(c) Factor Descriptions: Use the following nine factors exclusively to describe the position. Be sure to develop the patterns of concepts which are listed here for each of the factors. Ensure that concepts relate to the major duties of the position.

1. Factor 1, Knowledge Required by the Position

- \* Kind or nature of knowledge and skills needed, and
- \* How knowledge and skills are used in doing the work (relate this to each duty described in (b) above).

2. Factor 2, Supervisory Controls

- \* How the work is assigned,
- \* The employee's responsibility for carrying out the work, and
- \* How the work is reviewed.

3. Factor 3, Guidelines

- \* The nature of guidelines for performing the work, and
- \* Judgment needed to apply the guidelines or develop new guidelines.

4. Factor 4, Complexity

- \* Nature of assignment,
- \* Difficulty in identifying what needs to be done, and
- \* Difficulty and originality involved in performing the work.

5. Factor 5, Scope and Effect

- \* Purpose of the work, and
- \* Impact of the work product or service.

6. Factor 6, Personal Contacts

- \* People and conditions under which contacts are made (except with supervisor).

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7. Factor 7, Purpose of Contacts

\* Reasons for contacts in Factor 6; skill needed to accomplish work through person-to-person activities.

8. Factor 8, Physical Demands

\* The nature, frequency, and intensity of physical activity.

9. Factor 9, Work Environment

\* The risks and discomforts imposed by physical surroundings and the safety precautions necessary to avoid accidents or discomfort.

**305.4** Instructions for Completing Optional Form 8

a. OF-8 is a standard Office of Personnel Management form which is used to cover a position description.

b. Always submit the original with the actual description of duties.

c. Divisions are responsible for making entries in the following blocks on the OF-8: 2, 4, 5, 12, 15e, 16, 17, 18, 19 (if applicable), 20 (a) and (b), and 24.

d. Block 24 should be used to indicate information applicable to the position's classification, e.g., if the position is part of a career ladder, if the position is a statement of differences to another position, Budget Position Control (BPC) number, etc.

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**306 CIVILIAN DRUG TESTING PROGRAM (N09BD)**

Ref: (a) OPNAVINST 5355.4  
(b) Executive Order 12564

This article provides general information on the Civilian Drug Testing Program and should be read in conjunction with reference (a).

**306.1 Background.** Reference (b) established a goal of a Drug-Free Federal Workplace.

**306.2 Types of Drug Testing.** The Navy Drug-Free Workplace Program allows for the following types of drug testing: random testing, applicant testing, reasonable suspicion testing, volunteer testing and follow-up testing.

a. Random testing. At least four times a year a minimum of 15-20 employees in Testing Designated Positions (TDPs) will be selected for random testing. The OPNAV Drug Program Coordinator (DPC) (N09BD) will contact the employee's supervisor the morning of the test and tell them when and where to have the employee report for urine collection. Employees not reporting for collection, without a reason approved by their supervisor and the DPC, will be treated as if they had a positive test result. Supervisors are to promptly inform employees and ensure they report for collection.

b. Applicant testing. OPNAV has approximately 200 TDPs (positions requiring Top Secret with access clearance or covered by regulation because of their duties). Anyone tentatively selected for or reassigned to a TDP will be tested prior to receiving a final offer or reassignment.

c. Reasonable Suspicion testing. In cases where management can state specific facts that an employee is using drugs, the DPC may arrange for testing. Mere "hunches" or "rumors" are not sufficient to meet this standard.

d. Volunteer testing. Navy encourages managers, supervisors and all employees to support a drug free workplace. Therefore, anyone may volunteer to be tested. Procedures for volunteering may be obtained by contacting the DPC.

e. Follow-up testing. Employees referred to drug counselors and under rehabilitation programs will be subject to follow-up testing.

### 306.3 Testing Procedures

a. CNO has contracted with a private company for on-site urine collection. Urine collection will be unobserved in almost all cases. The contractor will collect the samples, package them and mail them to the Navy Drug Screening Laboratory in Norfolk for forensic testing.

b. All test results are reported to a Medical Review Officer (MRO) (a physician knowledgeable in the medical use of prescription drugs and the pharmacology and toxicology of illicit drugs). The MRO will afford an individual who has tested positive an opportunity to discuss the test results. The MRO will forward all test results to the DPC. The DPC then notifies the employee's supervisor, or in the case of applicants, the Civilian Personnel Office.

c. When notified by the DPC that an employee has a positive test result, certain administrative actions must be taken. If the employee is in a sensitive position he or she must be reassigned or detailed to a position that does not give them access to classified information. Also, the employee must be referred to the Civilian Employee Assistance Program (CEAP) and enrolled in a rehabilitation program.

**306.4 Discussion.** All employees are expected to refrain from drug use and participate in the testing program. Disciplinary action up to and including removal from federal service will be initiated for the first failure to remain drug-free or refusal to submit to a drug test. Removal action will be initiated for any employee upon a second positive test result, failing to refrain from illegal drug use after counseling and/or rehabilitation, or adulterating or substituting a specimen.

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**307 TRAINING AND DEVELOPMENT (N09BD/S/HHRO)**

Ref: (a) SECNAVINST 4651.8L  
(b) OPNAVINST 4651.4C  
(c) Civilian Personnel Instruction (CPI) 410.8

The provisions of this article apply to all OPNAV civil service employees except those appointed by the President by and with the advice and consent of the Senate. Persons so appointed are excluded unless a request for training is made to the Office of Personnel Management (OPM) through the Secretariat/Headquarters Human Resources Office (S/HHRO). Although military personnel are excluded from the provisions of the Government Employees Training Act (GETA), they are not precluded from attending and participating in training activities through government training sources, through non-government training sources when their attendance results in no additional costs to the government, or at in-house courses conducted primarily for civilians when their attendance will contribute to improved performance in assigned duties.

**307.1 Responsibilities**

a. Supervisors and managers are responsible for identifying training needs, making organizational training plans, recommending employees for training opportunities, counseling subordinates concerning training and self development, ensuring that recommended training is related to official duties, ensuring that scheduled training is completed and documented, and evaluating the effectiveness of completed training.

b. The Employee Development and Benefits Branch (S/HHRO-05) will provide review of recommended training, estimate funds required to meet the training needs of the OPNAV civilian work force, schedule training through the most efficient and economical source, and provide guidance to employees and managers on training and individual development.

c. Employees are responsible for formulating career goals and objectives, making known these goals to supervisory personnel, and participating in and completing scheduled training.

**307.2 Definitions**

a. Government facility means any property owned or substantially controlled by the federal government and the services of any civilian and military personnel of the government acting in their official capacities.

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b. Interagency training is that training provided by any government department or agency outside the Department of Defense (DOD) in meeting identified training needs of DOD employees.

c. Intra-agency training is any training provided through resources of any component of DOD designed to accommodate employees of more than one component.

d. Long-term training is off-the-job training (other than in apprenticeship, cooperative education, and management intern programs and other programs undertaken under the provisions of an OPM training agreement) to which an employee is assigned on a full-time basis and which consists of more than 120 consecutive working days, and which may be accomplished in either government or non-government facilities.

e. Non-government facility means:

(1) Any state or local government, medical, scientific, technical, educational, research, or professional institution, foundation, agency, or organization.

(2) Any business, commercial, or industrial firm, corporation, partnership, etc.

f. Official duties means those authorized agency duties which an employee is currently performing or could reasonably be expected to perform in the future. This includes potential duties in a different job or occupation at the same or higher level than the one currently held by the employee.

g. Training means the process of providing for and making available to an employee, and placing or enrolling the employee in a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which are or will be directly related to the performance by the employee of official duties for the government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of the employee in the performance of official duties.

### **307.3 Determining Training Needs**

a. In OPNAV, a Training Needs Survey will be conducted yearly by S/HHRO.

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b. Supervisors and managers are responsible for determining, at least annually, organizational and individual training needs. It is suggested that individual training needs be determined in conjunction with applicable performance appraisal cycles.

c. S/HHRO-05 is available to assist in determining an organization's training needs and costs.

d. Although a yearly survey will be made, the study of training needs is a continuous process. As needs change, the organization should contact the Employee Development and Benefits Branch to determine if classes are available. New employees should be scheduled for needed training in accordance with organizational and individual needs.

#### **307.4 Training Programs for Special Groups of Employees**

##### **a. Supervisory Training**

(1) S/HHRO has a series of four supervisory development classes based on supervisory competencies. The first in the series of four classes is Personnel Management and is required within the first 6 months of a supervisor's probationary period. Managers are responsible for making sure that new supervisors receive supervisory training.

(2) Military supervisors are required to be knowledgeable in the areas listed above. It is OPNAV policy that military supervisors of OPNAV civilians attend the supervisory training programs.

(3) All managers and supervisors are required to attend 4 hours of Equal Employment Opportunity (EEO) training annually which will be developed by N09BE.

(4) Managers will schedule supervisors for update training to ensure that they are familiar with the latest policies, procedures, and management theories.

##### **b. Career Programs**

(1) Career programs in the Department of the Navy (DON) are designed to: (a) improve the quality of staff in an occupation, (b) standardize training and qualification requirements, (c) facilitate the movement of employees into and

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within a functional area, and (d) assure a continuing influx of new talent into the career fields.

(2) At present, civilian career programs have been developed for individuals in the fields of Civilian Personnel Management and Equal Employment Opportunity Management, Financial Management, Contracting, General Intelligence, Logistics, Education Specialist, Weapon Systems Acquisition Management, Engineer and Scientist, and Automatic Data Processing.

(3) Managers and supervisors having subordinates in an occupational group for which there is a career program should assure familiarity and compliance with the requirements of the program, which, depending upon the program, may specify required and desired training, special performance appraisals, use of referrals to fill certain vacancies, etc. Information is available from S/HHRO-05.

c. Upward Mobility

(1) The government's Upward Mobility Program is designed to provide potential for advancement for lower level employees (GS-1 through GS-9 or equivalent) who are in positions or occupational series which do not enable them to realize their full work potential.

(2) Applicants are selected for Upward Mobility trainee positions through Merit Promotion selection procedures and are subsequently reassigned or promoted to target positions. While in the trainee positions, individuals receive the on-the-job experience necessary to qualify for the target positions. An Individual Development Plan (IDP) is developed for each trainee, stating work assignments, on-the-job training, and formal training to be accomplished. Such training is related to the performance of "official duties" as defined in paragraph 307.2f. The Employee Development and Benefits Branch will work with the trainees and the trainees' supervisors to develop the IDP and to ensure that the trainees get the experience and training required by the IDP.

d. Sexual Harassment Training. All DON personnel, military and civilian, will be educated and trained, upon accession (within 90 days to the extent possible) and annually thereafter, in the areas of identification, prevention, resolution, and elimination of sexual harassment.

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e. Newly Reporting Personnel

(1) OPNAV offers several training courses required of newly reporting personnel. These courses include:

(a) Local Area Network (LAN) Training Course and Total Quality Leadership (TQL) Course, scheduled by the Travel and Military Support Branch (N09B20), Room 4A664, phone 52419.

(b) Security Indoctrination, scheduled by OPNAV Security (N09B31) at check-in.

(c) Sexual Harassment Training. Course announcements will be published periodically, for which newly reporting personnel are expected to register. Contact the Assistant for Equal Employment Opportunity (N09BE), phone 78203, for additional information.

(2) OPNAV also offers two courses designed primarily for military action officers but which civilians may attend, depending on job requirements and if recommended by the supervisor. These two courses are the Action Officer (AO) Course and the Requirements Officer (RO) Course. Contact the Travel and Military Support Branch (N09B20) at 52419 for scheduling or for additional information.

**307.5 Meeting Training Needs.** Training needs of employees may be met through on-the-job training, self-study, and formal training. This training may be offered through government or non-government training facilities and may be scheduled during duty hours or non-duty hours on a short or long-term training basis. Catalogs available from the Employee Development and Benefits Branch contain detailed listings of available courses. Although on-the-job training and self-study programs are not discussed in detail in this article, development by these methods is strongly encouraged, and employees and supervisors interested in on-the-job or self-study should contact the Employee Development and Benefits Branch.

a. Intra-agency Training. OPNAV will make maximum use of OPNAV, DON and other DOD resources. OPNAV programs are designed for the specific needs of OPNAV personnel and require a minimum amount of time away from the work site. The DON offers courses through the Personnel Management Institute and the Acquisition/Logistics Management School. Other DOD training facilities include the Defense Intelligence School, the Information Resources Management College, and other defense management

education and training sources. Most intra-agency programs are offered at little or no tuition cost.

b. Interagency Training. Interagency training facilities should be used when training needs cannot be met economically and effectively through DOD resources. Interagency training programs are government-oriented and are readily available in the Washington, DC area. The most common interagency training sponsors include OPM, the U.S. Department of Agriculture Graduate School, and the General Services Administration.

c. Non-government Training. When no adequate or reasonably available resources exists within the DOD or another federal agency for meeting a training need, employees may be trained through non-government facilities. This training is usually relatively expensive and may not be oriented to federal employees.

d. Long-Term Training and Education. Long-term training is used when comprehensive training and developmental assignments are more appropriate to the training objective than assignments of short duration. The following information applies to long-term training.

(1) Types of Long-Term Training Opportunities

(a) DOD Schools. Applicants must be at or above the GS-14 level. The schools run on an academic or 6-month year. Defense schools include the Naval War College, the National War College and the Industrial College of the Armed Forces.

(b) University Programs. Various universities and university consortiums offer long-term training programs designed for federal employees at mid-level.

(c) Government Fellowships. The most popular of these are the Fellowship in Congressional Operations for GS-12s through GS-16s and the Secretary of the Navy Career Fellowships for GS-9s through GS-14s in the career programs.

(2) Funds for Long-Term Training. Navy central pool funds may pay costs for tuition, books, fees, and per diem. Travel for those employees selected into a Navy-sponsored long-term training program will be paid by the employee's organization. Salary and ceiling costs are the responsibility of the employing command.

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(3) Eligibility Criteria. Candidates for long-term training must hold career appointments (at least 3 years of consecutive service) and show the ability to successfully complete and utilize the training.

(4) Applications and Selection Procedures. Long-term training programs are announced by the Office of Civilian Personnel Management (OCPM) usually early in the calendar year. Management should consider all eligible employees and encourage the participation of minority group members and women. All required paperwork is submitted through N09BD who then forwards it to OCPM. Any OPNAV candidate whose name is submitted to OCPM for consideration must be endorsed by N09B.

### **307.6 Attendance at Professional Meetings**

a. It is DON and OPNAV policy to encourage attendance at meetings for any of the following primary purposes:

(1) To acquire information needed in the performance of official duties.

(2) To provide information concerning the DON's work or functions to the meeting group.

(3) To contribute to the pool of scientific and professional knowledge from which the government draws.

b. Meetings, conferences, seminars, and symposiums are distinguished from training programs in that there is no instructor, student, or leader-group relationship for which there is an organized program of study.

c. Requests for attendance at meetings, conferences, and seminars shall be made under the provisions of references (a), (b), and (c), and paragraph 307.10 of this article.

### **307.7 Selection and Assignment of Employees for Training**

a. Supervisors may find that although there are a number of employees who would benefit from a training program it is not feasible to send all the individuals. In determining who to send to training programs, the following criteria should be used:

(1) The relative degree of employee's need for training.

(2) The relative potential of employees for advancement.

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(3) The relative extent to which employees' knowledge, skill, or performance are likely to be improved by training.

(4) The relative length of time and degree to which OPNAV expects to benefit from the employees' training.

(5) The relative ability of employees to pass the training on to others upon their return to the job.

(6) Training opportunities previously afforded employees.

(7) The employees' own interest in an effort to improve their work.

b. Merit promotion procedures will be followed in selecting employees for training that is given primarily to prepare trainees for advancement and that is required for promotion. Selection for training that would qualify an employee for reassignment to a position in a different field of work would be subject to merit promotion requirements if the position has known promotion potential at the time of selection for training. This happens most often in the case of Upward Mobility positions.

### 307.8 Restrictions on Attendance at Training Through Non-government Facilities

#### a. Selection of Individuals

(1) Attendance by Military Personnel. As stated, military personnel may not attend training through non-government facilities involving cost to the government under the provision of the GETA. Participation in non-government facilities must be under appropriate military authority, and approval must be obtained by submitting OPNAV 5050/11 (Request and Approval for Attendance at Meetings) to N09B20.

(2) Type of Appointment. Employees selected for training in non-government facilities must be serving in an appointment of permanent or indefinite tenure, and there must be reasonable assurance that the employee's service will continue to be needed.

(3) Length of Service. Employees must have 1 year of current, continuous civilian service to be eligible for training in non-government facilities unless:

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(a) The training does not exceed 40 hours in a single program, such as a 35-classroom-hour college course; or

(b) The training is given by manufacturers incident to lease or purchase of their products; or

(c) The training is highly specialized and very closely job-related.

b. Reasons for Attendance

(1) Training for Promotion. The training of an employee through non-government facilities for the purpose of filling a position by promotion is prohibited if there is another employee of equal ability and suitability available.

(2) To Provide Opportunity to Qualify for Positions with Degree Requirement. Attendance at non-government training for the purpose of providing an opportunity to an employee to obtain an academic degree in order to qualify for a position for which the degree is a basic requirement is prohibited.

(3) Solely to Provide Opportunity to Obtain Degrees. Attendance at a non-government training program for the purpose of obtaining an academic degree or meeting a degree requirement is prohibited. In other words, each course for which government assistance is requested must be related to the performance of official duties. If, through training, the employee receives a degree, this will be considered as merely a by-product of the training and is not prohibited.

c. Length of Training. In general, time spent by an employee in training through non-government facilities cannot exceed 2 years for each 10-year period of service. Exceptions are programs not over 40 hours in length, training provided by product manufacturers, and training through correspondence courses.

d. Requirements Under the Continued Service Agreement

(1) When an employee receives pay and has expenses paid while attending a non-government training program, the employee must agree to stay with DON for three times the length of the training once the training has been completed. Exceptions include training that does not exceed 80 hours in a single program or training provided by a manufacturer. This generally applies to long-term training.

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(2) When DON pays only additional expenses, but not salary, the period of obligated service is equal to the length of the training, with a 1-month minimum. The same exceptions apply as in paragraph 307.8d(1).

(3) When an employee has a continued service requirement, the Continued Service Agreement of the DD 1556 will be signed.

(4) If the employee transfers prior to completion of the continued service period, he or she may be required to repay the additional expenses incurred by the government. There will be no requirement to repay when the employee transfers within the federal government; however, the remainder of the obligation will be transferred. In other cases, the employees will generally be required to reimburse the government in full or on a pro rata basis for additional expenses. Supervisors will identify those employees who fail to fulfill the service agreement and recommend appropriate action.

#### 307.9 Payment of Training Expenses

a. An employee may continue to receive salary payments while being trained. Except in limited circumstances, premium pay and compensatory time will not be given while an employee is attending training.

b. OPNAV will pay costs for registration or tuition, purchase of books, and for services necessary for training handicapped employees.

c. In general, OPNAV will not pay for attendance at more than two courses at a private university in a fiscal year.

d. Travel and per diem may be paid under the provisions of the U.S. Code and the Joint Travel Regulations. OPNAV will authorize only such per diem as is justified by the individual request. The per diem rate is therefore reduced when meals and/or lodging are offered at little or no cost to the attendee. Employees attending long-term training outside the Washington, DC area may receive per diem or payment for the transportation of the family and household goods but not both.

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**307.10 Procedures for Enrolling in Training Programs,  
Registering for Meetings, and Requesting Government Assistance**

a. All requests for attendance at training or meetings shall be made on the DD 1556, Request, Authorization, Agreement, Certification of Training and Reimbursement, if there is any cost involved or if the program lasts more than eight hours.

b. **Approval of the DD 1556 is required prior to enrolling in, or making any commitment for, training.**

c. The DD 1556 shall be completed following the instructions on the form and supplementary instructions available from the Employee Development and Benefits Branch. When attendance at meetings or conferences is requested, the number 4 should be entered in Section B, Item 20, Part II, block g, Method of Training.

d. All costs shown should be maximum possible costs, since the form will reflect the maximum possible authorization.

e. Submission involving travel costs must be via the appropriate OPNAV Principal Official and TEMMAD control officer to ensure availability of travel funds.

f. To allow processing time, DD 1556 should be submitted to S/HHRO-05 at least 2 weeks prior to the start of the program or any registration deadline established by outside training/meeting sponsors.

g. If there is any question as to whether or not the request will be approved (the request was not reflected in Training Needs Survey, the training is very expensive, etc.), the employee should contact the Employee Development and Benefits Branch (S/HHRO-05) prior to submitting the form.

h. Training requests for OPNAV personnel require the approval of the Assistant for Civilian Personnel and SES Matters (N09BD).

i. The Head, Employee Development and Benefits Branch or authorized designee, will certify by signing the DD 1556 that the proposed training meets regulatory requirements.

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**307.11 Evaluation of Training Programs**

a. Evaluation of training is the determination of the extent to which the program met established objectives or goals.

b. OPNAV will evaluate the total training program annually. This evaluation will reflect the extent to which the Training Plan was accomplished and will serve as a basis for establishing a plan for the succeeding fiscal year. Copy #9 of the DD 1556 should be completed and returned to the personnel contact in the OPNAV organization.

**307.12 Recording and Recognizing Training Efforts**

a. Employees are encouraged to keep track of all their job-related training by maintaining certificates of completion.

b. S/HHRO-05 will input employees' completed training into the Naval Civilian Personnel Data System when they receive Copy #2 of the DD 1556 certifying completion of training.

c. The results of efforts of employees to develop their potential for the performance of official duties can be recognized in the following ways:

(1) Recognizing improved performance through performance ratings or incentive awards.

(2) Recognizing resultant increases in capacity by performance on other work assignments or in other positions (consistent with rules in detailing).

(3) Considering resultant demonstrations of employee's interest in and capacity for developing potential in making selections for other training programs.

**307.13 Action.** All Division Directors should ensure that they and all civilian employees under their direction are familiar with the contents of this article and that the policies and procedures contained in this article are followed.

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**308 MANAGEMENT OF EXECUTIVE RESOURCES (N09BD)**

Ref: (a) SECNAVINST 12920.1B (NOTAL)  
(b) ONAVINST 12920.2 (NOTAL)

This article provides information regarding the management of executive resources within OPNAV. Executive resources include the Senior Executive Service (SES), Scientific and Technical (ST), and Senior Level (SL) positions. References (a) and (b) contain more detailed information.

**308.1 Definitions**

a. Senior Executive Service (SES) positions - Managers and supervisors above the GM/GS-15 level and below level III of the Executive Schedule who:

- (1) Direct the work of an organizational unit;
- (2) Are held accountable for the success of one or more specific programs or projects;
- (3) Monitor progress toward organizational goals and periodically evaluate and make appropriate adjustments to such goals;
- (4) Supervise the work of employees other than personal assistants; or
- (5) Otherwise exercise important policy making, policy determining, or other executive functions.

b. Scientific and Technical (ST) positions - ST positions are truly scientific and technical, i.e., they are usually found in laboratories and/or research environments.

c. Senior Level (SL) positions - Although classifiable above GS-15, SL positions do not meet the executive criteria characteristic of the SES and they do not involve the STs fundamental research and development responsibilities.

**308.2 CNO Executive Resources Board (CNO ERB).** Appointed by the Secretary of the Navy to exercise appropriate program planning and management responsibilities for CNO executive resources.

a. The CNO ERB is comprised of three SES members, two flag officers and is chaired by the Vice Chief of Naval Operations.

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The Assistant Vice Chief of Naval Operations (AVCNO) (N09B) serves as an advisor to the Board and N09BD serves as Executive Secretary and technical advisor.

b. The ERB performs the following functions:

- (1) Executive personnel ceiling control;
- (2) Policy and procedures for staffing executive positions;
- (3) Corporate mobility program policies and assignments;
- (4) Executive awards oversight, including:
  - (a) Approval of special act or service awards and
  - (b) Recommendations of candidates for Presidential Ranks and Stipends;
- (5) Recommendation of SES members for ES-5 and 6 levels;
- (6) Oversight of executive development programs, including management of long-term training billets;
- (7) Oversight of all executive reduction-in-force and furlough actions;
- (8) Review of proposed executive removal or disciplinary actions;
- (9) Recommending approval of any SES benefits proposals;
- (10) Oversight of any proposed SES pilot programs initiated from within OPNAV; and
- (11) Monitoring the setting of SES objectives and the entire performance appraisal cycle. In addition, the ERB coordinates the preparation of the Performance Review Board process and recommends changes where necessary.

c. Meetings. The CNO ERB will meet regularly when determined by the Chairperson. Time, place and items for discussion will be specified in the agenda 1 week before the meeting.

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### 308.3 Executive Resources Management

a. Allocation. CNO is allocated a certain number of executive resources by SECNAV for a 2-year period. Those positions are managed by the CNO ERB. The number of filled positions cannot exceed the authorized ceiling. Changes to the allocation must be requested from OPM via SECNAV and Secretary of Defense.

b. Requesting a Position. When a critical need for a position occurs, a request for a particular position must be submitted via the chain of command to N09BD. Include justification of why the position is needed, a copy of the organization chart indicating where the position will be located, who it will report to and any subordinate staff. Also attach a brief sheet of no more than two pages explaining the duties and responsibilities of the proposed position. The ERB will consider the request and recommend to the VCNO one of the following actions:

- (1) Assign a billet for establishing new position;
- (2) Put request on priority list for next available billet; or
- (3) Return request without action.

c. Requesting to Refill a Vacant Position. Unlike other civilian positions, when an executive position becomes vacant it cannot be automatically refilled. A request must be submitted to the ERB as discussed in paragraph 308.3b. The ERB will consider the request and recommend to the VCNO one of the following:

- (1) Allow position to be refilled; or
- (2) Reallocate space to another organization.

When approval is given by the ERB to establish or refill a position, OPNAV Principal Officials should contact the Staffing and Classification Branch of Secretariat/Headquarters Human Resources Office (S/HHRO) for appropriate action.

### 308.4 Performance Appraisal

- a. Cycle: 1 July - 30 June
- b. Appraisal Form: Senior Executive Service Performance Appraisal - OCPM 12920/1 (5-88)

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c. Awards

(1) SL and ST employees are eligible for Performance Awards and Quality Step Increases. SES members are not. They are eligible for bonus awards based on performance during the preceding performance cycle. The number of bonuses and the amounts given to SES members is determined by SECNAV. The CNO Performance Review Board reviews all appraisals and recommends awards (up to the number authorized by SECNAV) for the most outstanding employees.

(2) SES employees are also eligible for Presidential Rank Awards based on sustained performance over a minimum of 3 years. Nominations are requested annually, and are submitted to OPM via the CNO ERB, SECNAV and OSD. They are approved by the President. The Meritorious Rank carries a stipend of \$10,000 and the Distinguished Rank \$20,000. Members cannot receive a bonus and rank award in the same year.

(3) In addition, SES members are eligible for Special Act or Service Awards, up to \$4,500. ERB approval is required.

**308.5** Performance/Disciplinary Action

a. SES members may be removed from the SES during probation when it is apparent that the member's conduct and/or performance is not of the level expected of an executive. SES members may be removed from the SES after the probationary year, only for less than fully successful performance, misconduct, neglect of duty or malfeasance, or under Reduction in Force (RIF) procedures. Performance related removals are processed under Part 359 of the Code of Federal Regulations; disciplinary actions are effected under Part 752, and RIF actions under Part 359. Failure to accept a direct reassignment is also subject to removal action under Part 752.

b. These actions must be approved by the CNO ERB. Before taking any action notify N09BD for coordination with the VCNO.

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**309 PERFORMANCE MANAGEMENT SYSTEMS (N09BD)**

This article provides information on the performance appraisal systems used to evaluate civilian employees.

**309.1 Coverage**

a. GS-1 through 12 and prevailing rate employees are covered by the Performance Appraisal Review System (PARS).

b. GS/GM-13, 14, and 15 employees are covered by the Alternate Performance Appraisal System (APAS).

c. Article 308 addresses the appraisal system for Senior Executive Service (SES) members.

**309.2 Appraisal Period**

a. PARS - 1 October through 30 September

b. APAS - 1 July through 30 June

c. SES - 1 July through 30 June

**309.3 Forms/Performance Plan**

a. PARS - OPNAV 12430/5 Department of Navy Performance Appraisal Review System.

b. APAS - NAVSO 12540/1 Alternate Performance Appraisal System Performance Plan form.

c. Performance Standards

(1) Each system must have at least three critical elements. An odd number of critical elements must be used to facilitate the final rating process.

(2) Standards must be written at the Fully Successful level for both systems. Supervisors may require that standards be written at the Above Fully Successful level for APAS employees and at the Above and Below Fully Successful levels for PARS employees.

(3) Non-critical elements will not be used.

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(4) Elements and standards must be in writing. The employee, first and second level supervisor must sign the appraisal form at the beginning of each performance cycle.

(5) A critical element addressing Equal Employment Opportunity (EEO) program performance must be included in the performance standards of all supervisors, irrespective of grade level. An EEO critical element must also be included in the performance standards of all non-supervisors whose performance, in the judgement of the supervising official(s) establishing the performance standards, may influence the achievement of EEO goals and objectives in the execution of assigned duties or program areas. For the purpose of this requirement, a "supervisor" is defined as an employee in a position having authority to perform one or more of the following functions with respect to at least one subordinate employee or to effectively recommend such actions: hiring, directing, recalling, suspending, disciplining, removing, adjusting grievances, assigning, promoting, rewarding training, transferring, and furloughing. Guidance for the development of appropriate supervisory and non-supervisory EEO critical elements may be obtained from the Assistant for Equal Employment Opportunity (N09BE).

#### 309.4 Progress Review

a. At least one progress review must be conducted each year, normally mid-way during the cycle.

b. Progress reviews do not require a written rating.

c. Supervisors discuss performance and document any needed improvement.

d. The supervisor and employee must sign and date the form to note that the progress review was conducted.

#### 309.5 Close-out Ratings/Special Reviews

a. PARS. A written close-out rating will be conducted when:

(1) The employee leaves a position after being under standards for a minimum of 90 days;

(2) The first level supervisor leaves the position after the employee is under established standards a minimum of 90 days; or

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(3) An employee completes a detail or temporary promotion of 120 days or longer under established performance standards. The supervisor and the employee will sign and date the form. The approved form shall be forwarded to the appropriate supervisor who will consider the close-out rating when preparing the annual rating.

b. APAS

(1) Special reviews will be conducted when:

(a) The employee leaves the position;

(b) The supervisor leaves a position.

These reviews will result in a written summary rating. The employee and first level supervisor will sign and date the form.

(2) A special review will also be conducted at any time during the appraisal period that a first level supervisor determines that an employee is performing below the Fully Successful level. A course of action will be developed to improve the employee's performance. Contact the Employee Relations Branch of the Secretariat/Headquarters Human Resources Office (S/HHRO) for assistance.

309.6 Rating of Record

a. PARS

(1) A written rating of record shall be completed within 30 days from the end of the performance cycle (30 September).

(2) If the employee has not been under approved standards for at least 90 days, the performance cycle will be extended to allow the employee to demonstrate performance for at least 90 days under an approved plan.

(3) Rating of record may not be communicated to the employee prior to approval by the Activity Head Designee.

(4) Rating forms provided to employee shall not reflect changes made by the reviewing official.

(5) The performance rating form shall be signed and dated by the employee after the rating has received final approval.

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(6) Employee's signature does not necessarily constitute agreement with the rating; it merely signifies that the employee has received it.

(7) If the employee refuses to sign a rating of record, provide him/her with a copy of the original which has been annotated with "Employee refused to sign rating form; copy provided to employee."

(8) Before assigning a rating of record below the Fully Successful level, contact the Employee Relations Branch of S/HHRO for advice regarding required procedures.

b. APAS

(1) A written rating of record shall be completed at the end of the performance cycle (30 June).

(2) Employees prepare a one page yearly accomplishment report (YAR) for first level supervisor.

(3) First level supervisor discusses performance with second level supervisor and develops a rating of record.

(4) Proposed rating is not discussed with employee until approved.

(5) After the rating has been approved and discussed with the employee, employee signs the form and a copy is provided to the employee.

309.7 Awards for PARS/APAS

a. Quality Step Increases (QSIs) and Performance Awards (PAs) can only be given at the end of the rating cycle.

b. Awards are optional.

c. Each OPNAV Principal Official (OPO) will be assigned two pools of money at the end of the appraisal year. One pool will be for PAs and will consist of 1.5 percent of aggregate base salaries of covered employees as maximum funding. The other pool will be used for QSIs.

d. Each OPO must designate an "Activity Head Designee" to approve PARS/APAS ratings of record and performance awards.

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- e. OPOs must ensure that pool limits are not exceeded.
- f. Awards of more than 10 percent of base pay require approval of the Assistant Vice Chief of Naval Operations (AVCNO) (N09B).
- g. Granting of both a Performance Award and a Quality Step Increase to the same employee requires prior AVCNO approval.
- h. All Outstanding employees must receive awards before Exceeds Fully Successful (EFS) employees are rewarded. All EFS employees must be rewarded before Fully Successful (FS) employees are rewarded.

**309.8 Grievance of Rating of Record**

- a. Must be in writing.
- b. Must be filed within 20 calendar days from the date the employee becomes aware of the final rating.
- c. Must be filed with the level above the Activity Head Designee.

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**310 DISCIPLINARY/ADVERSE ACTION/PERFORMANCE BASED ACTIONS  
(N09BD)**

Ref: (a) S/HHROINST 12752.1 (NOTAL)  
(b) S/HHROINST 12432.1A (NOTAL)

This article provides information on taking action on the problem employee. It should be read in conjunction with references (a) and (b).

**310.1 Introduction.** Many times, managers or supervisors are faced with employees whose performance or conduct raises problems. It is the responsibility of the first level supervisor to initiate any action. Not sure how to proceed or believing that any action is too difficult, supervisors may let these problems slide. Inaction is not usually the answer because it may turn small difficulties into major disruptions. While this article primarily deals with employees who have completed their probationary periods, do not put off actions during the probationary period if a problem is evident then. At that time supervisors have the authority to separate the employee with fewer procedures. Any delay in taking action until the probationary period is over will result in an even greater problem more difficult to solve.

**310.2 The Basic Decision**

a. **Decisions to be made.** The employee has done something or failed to do something which adversely affects his or her work, the ability of other employees to do their jobs, or the agency's mission. Supervisors are faced with decisions on how to handle the incident or series of incidents. First supervisors must decide whether the incident involves the employee's poor performance on the job or involves an act of misconduct. Next, the type of action that will best deal with the incident(s) must be determined.

b. **Performance.** Are the problems raised performance ones; that is, reports are prepared unacceptably, typed documents with many errors, processing forms incompletely filled out? Is the employee's discourtesy causing problems in a job requiring constant dealings with the public? Are these instances of poor work included in the employee's assigned job tasks covered by one or more critical elements and performance standards? Has the employee been informed in writing of the elements and standards so that he or she knows what is expected?

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If these questions are answered positively, such incidents can be handled under the procedures for counseling, reductions in grade or removal for unacceptable performance, a nondisciplinary method specifically aimed at handling continuing performance problems easily and without delay. If poor performance results from outright refusal to do the work rather than inability, disciplinary action, discussed in the next paragraph, may be required.

c. Conduct. Is the employee coming to work late or not requesting leave properly? Was he or she in a fight or talking rudely to fellow employees? Was he or she disrespectful or insubordinate to the supervisor? Has the employee been caught taking agency property home without permission? Was he or she drinking on duty? Did the employee violate an agency regulation about outside employment? These are all conduct problems, usually handled through disciplinary procedures. There are two ways to deal with these, depending on the severity of the conduct: lesser disciplinary actions, including reprimands, admonishments, and suspensions of 14 days or less; and more severe disciplinary actions, including suspensions of more than 14 days, reductions in grade, and removal. It is better to use the lesser disciplinary actions, including suspensions of 14 days or less when this type of action will correct the problem with the least severe action possible. Often, no further action is necessary. In addition, less severe actions have fewer procedural requirements. Finally, they establish a record of progressive discipline, which will establish a better base if more severe action becomes necessary later. Sometimes you may find that the incident is so serious that you have no choice but to recommend or take more severe disciplinary adverse action, including suspensions for more than 14 days, reduction in grade, or removal.

**310.3** Assistance. Before taking any action consult the Employee Relations Branch of S/HHRO for advice and assistance.

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**311 EQUAL EMPLOYMENT OPPORTUNITY PROGRAM (N09BE)**

Ref: (a) SECNAVINST 12720.5A  
(b) OCPMINST 12713.2  
(c) SECNAVINST 5300.26B  
(d) OPNAVINST 12720.8  
(e) OPNAVINST 12720.4B

This article provides supplementary guidance for use in conjunction with references (a) through (e) for the OPNAV Equal Employment Opportunity (EEO) Program.

**311.1 Responsibilities**

a. Equal Employment Opportunity (EEO) Officer. The Assistant Vice Chief of Naval Operations (N09B) is designated the EEO Officer for OPNAV and is responsible for implementation of the Department of the Navy (DON) policy. This includes:

(1) Affording equal opportunity and treatment to all employees and applicants regardless of race, color, religion, national origin, sex, age, or handicapping condition.

(2) Creating a workplace free from discriminatory practices, including sexual harassment.

(3) Developing and implementing affirmative employment programs designed to achieve a workforce which is reflective of our national workforce.

(4) Ensuring discrimination complaint procedures are in place to provide adequate counseling and timely processing of all complaints.

b. Deputy EEO Officer. The Deputy EEO Officer (N09BE) is the principal staff advisor to the EEO Officer on all program matters and is responsible for establishing priorities in all EEO program areas within the mission of OPNAV. The Deputy EEO Officer is available to provide EEO guidance, including EEO counseling and administrative processing of discrimination complaints to all OPNAV personnel.

c. OPNAV Principal Officials. These officials are responsible for exercising personal leadership in executing the DON EEO policy. They must set the example in treating all people with mutual respect and dignity, fostering a climate free of all forms of discrimination and eliminating sexual harassment.

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d. EEO Counselor. At the initial counseling session, the EEO Counselor advises employees seeking counseling on their rights and responsibilities under reference (b). He/she gathers and analyzes information relevant to the acceptability of the complaint and information to support both the employee's allegations and management's position concerning issues of alleged discrimination. The EEO Counselor attempts to resolve issues at the informal complaint stage within 30 days of the date the complainant brought the allegations to the Counselor.

### 311.2 Procedures

a. Within 45 days of the occurrence of the alleged discriminatory action, aggrieved personnel should contact N09BE at 703-697-8203 to speak with the EEO counselor. The discrimination complaint process will be explained to the employee at that time.

b. A flowchart of the complaints process is shown at Tab A.

## DISCRIMINATION COMPLAINT PROCESS UNDER 29 C. F. R. PART 1614

